

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

SUPERIOR COURT

ADMINISTRATIVE ORDER NO. 2005-20

**RE: GENERAL PROVISIONS CONCERNING DISCOVERY AND DISCLOSURE IN
MEDICAL MALPRACTICE CASES IN PROVIDENCE COUNTY**

1. Discovery Conference: No later than the first anniversary of the commencement of a medical malpractice action, counsel for the parties shall file a joint motion for a discovery conference with the motion calendar judge. The following information is to be contained in the motion:
 - (a) A statement as to the status of written discovery and fact/witness depositions;
 - (b) A proposed plan and schedule for expert disclosure, including a timeframe for expert depositions;
 - (c) Any proposed limitations to be placed on discovery;
 - (d) Any other proposed discovery and/or expert disclosure issues the parties wish to address.
2. Disclosure Order: In Providence County, medical malpractice discovery conferences shall be set down for hearing on any Thursday at 2:00 p.m. on the motion calendar. After such conference has been conducted, the Court shall issue an order establishing the following:
 - (a) Schedule for expert disclosure;
 - (b) Deadline for completion of expert depositions.
3. Disclosure Order by Agreement: If counsel for the parties can agree upon the terms of a proposed order encompassing the above, then they may file the proposed order with the motion and the matter will be placed upon the motion calendar for formal approval without the need for a judicial conference.
4. Mandatory Mediation: No case shall be assigned for a trial calendar call or date certain trial unless the parties and the court have completed a mandatory mediation pursuant to Superior Court Administrative Order No. 2005-19 at which all parties and representatives should be present. Counsel for the parties shall contact the case scheduling office within 30 days after the ordered deadline for completion of expert depositions so that the court may schedule such a conference or mediation.

This Administrative Order shall become effective on September 23, 2005.

BY ORDER OF:

JOSEPH F. RODGERS, JR.
PRESIDING JUSTICE

DATED: September 23, 2005